## **MINUTES**

City of Newport Planning Commission Work Session Newport City Hall Conference Room A February 10, 2020 6:00 p.m.

**Planning Commissioners Present:** Jim Patrick, Lee Hardy, Bob Berman, Gary East, Jim Hanselman, Mike Franklin, and Bill Branigan.

PC Citizens Advisory Committee Members Present: Braulio Escobar, Dustin Capri, and Greg Sutton.

City Staff Present: Community Development Director (CDD) Derrick Tokos; and Executive Assistant, Sherri Marineau.

Public Members Present: Mona Linstromberg and Newport City Council Member, Cynthia Jacobi.

- 1. <u>Call to Order.</u> Chair Patrick called the Planning Commission work session to order at 6:00 p.m.
- 2. Unfinished Business.
- A. Review and Potentially Initiate Amendments Related to Car Camping for Homeless Individuals. Tokos reviewed a package of amendments to the Municipal Code that would implement optional provisions of ORS 203.082 to allow car camping for homeless individuals, on a limited basis, at religious institutions or places of worship. This would create a framework by which a religious institution or place of worship could make their property available for car camping; and clarify circumstances where camping was permissible within the City, be it in a vehicle or otherwise.

Patrick asked how tiny homes would fall under this legislation. Tokos explained that tiny homes on wheels would be considered recreational vehicles. A discussion ensued regarding the statute limitations to the maximum numbers of vehicles that could park on a property at one time. Franklin asked who would do the enforcement of car camping. Tokos said that nuisances would be handled by the City. The thought was that religious institutions would look to manage this as well. Escobar asked who would enforce a camper that didn't want to leave. Tokos explained that if the church couldn't mitigate it would go to City enforcement Branigan asked if a place of worship would be defined. Tokos explained this was consciously not defined because the City hadn't defined all of the types of uses. Escobar had concerns that the City was trying to formulate a rule when there wasn't a desire to have car camping. He reported that he had spoken to a few religious institutions who reported they weren't interested. Escobar suggested the City do outreach to the faith base community earlier than just before the public hearing so their comments could be incorporated into the way the ordinance was written. Tokos explained the comments could be incorporated into the public hearing and there was nothing that said the Commission had to take action at the hearing. The thought was to get the process moving along.

Tokos reviewed draft amendments to NMC Chapter 6.25, Recreational Vehicle Parking. Updates included changes for the definition of "Recreational Vehicle or RV's", eliminating the "Self-contained" definition, changes to Section 6.25.010(A), and eliminating Section 6.25.010(B)(C) and (D). Tokos then reviewed draft amendments to NMC Chapter 9.50, Camping Prohibited in Certain Places. Updates included adding a new Section 9.50.050 "Permitted Camping" to add language to outline circumstances by which camping could be permitted within the city limits. Branigan asked if access to facilities should be 24 hours a day. Tokos noted that there was nothing in the State statute that required access to facilities the entire day. Hanselman thought there needed to be considerations for 24 hour access for residential areas and occupancy limits in the vehicles who were camping. He thought it was important that camping was considered overnight only. Escobar thought that Section 9.50.050(4) should have "overnight only" included. He expressed concerns about placing restrictions on where people could camp. Tokos explained that the City Attorney was going to look into this

outside of a land use provision for Section 9.50.020. He would work the concept of overnight camping into Section 9.50.050(4).

Branigan asked if the faith based institutions would have to notify neighbors if they participated. Tokos explained that notices were done when there was an option for someone to do something in the process, which there wouldn't be in the instance. A notice without recourse would be difficult. Tokos thought that any faith based community who chose to do camping would do a certain amount of their own outreach. Berman asked if a permit would be required for faith based institutions to do camping. Tokos explained there wouldn't be a permit but thought the City could create a flyer to hand out that detailed what was permissible. A discussion ensued regarding how faith based institutions would start the process for having car camping on their properties. Franklin didn't like the idea of moving forward with the process before talking to churches to get them onboard. Tokos explained there had already been some outreach already done but they weren't able to set up meetings with the institutions yet. He acknowledged they hadn't fully engaged the faith based communities yet. Berman wanted a handout created to hand out to any faith based institutions who were interested in participating. Tokos thought that a flyer could be created and suggested it possibly be distributed through the police department.

Tokos reviewed draft amendments to NMC Chapter 9.80, Special Events Permits. Updates included removing changes and updates to verbiage to Section 9.80.020, and an update to the verbiage of Section 9.80.032. These updates clarified that a special event permit, when issued, superseded any conflicting provisions of the Newport Municipal Code. Hanselman asked why C.1 was taken out. Tokos explained they wanted the special events permit to dictate the time limit. Hardy thought it would be better to retain C.8 and list exceptions. Tokos suggested they rephrase it add that the "Building Official confirms or signs off" that the structure satisfies applicable provisions.

Tokos reviewed draft amendments to NMC Chapter 14.03, Zoning Districts. Updates included amendments to verbiage in Section 14.03.050 to change "Churches" to "Religious Institutions/Places of Worship" to keep the terminology consistent; additional verbiage to Section 14.030.060 to clarify that camping for a fee was limited to RV Parks and public parks where identified in a city or state parks master plan; and an addition of the words "religious institutions/places of worship" in Section 14.030.060(E)(3)(b). Berman noted that "as" needed to be taken out of Section 14.03.060(C)(2)(vi). Tokos would remove this.

Tokos reviewed draft amendments to NMC Chapter 14.06, Manufactured Dwellings and Recreational Vehicles. Amendments included changes to Section 14.06.050(A) to identify circumstances where a RV could be occupied as a place of habitation; and amendments to verbiage in Section 14.06.060 to insure chapters were consistent. Hardy questioned why RVs couldn't be a place of habitation on residential lots. Tokos explained that the ordinance already stated that RVs could be stored on properties in Newport but they couldn't be a

Tokos stated that what he was hearing was that there were some priority changes that needed to happen based on the discussion, a desire to see informational materials for faith base communities put together if the amendments are adopted, and a desire to see feedback from faith based communities. The Commission was in general agreement with this.

## 3. New Business.

Review Speaker Kotek's Housing and Homelessness Proposals (HB 4001). Tokos reviewed his staff A. memorandum. He noted the League of Oregon Cities was working with its members to improve aspects of HB 2001, primarily with respect to the preemption language for the siting of emergency homeless shelters and transitional housing. A carte blanche preemption of all land use regulations, as proposed, could result in unintended outcomes that significantly impact a community. Tokos thought there would be a good chance legislation of this nature, in some form, would pass during the short session and might include provisions requiring cities amend land use regulations in an expedited timeframe to identify locations where shelters and/or transitional housing are permitted as outright uses.

Tokos reviewed a letter that was handed out to the Commission sent by Mayor Dean Sawyer and Councilor Cynthia Jacobi to Senator Arnie Roblan and Representative David Gomberg that provided formal feedback from the City on the proposal. In the letter they requested that the HB 4001include language that provided local governments an opportunity to identify sites where shelters and transitional housing would have the best chance of success, before preemptive language was imposed. They also requested that legislation include measures to ensure that nonprofits interested in establishing shelters or transitional housing have the resources needed to adequately manage facilities. Tokos explained the legislation would require that shelter be allowed outright. The City currently allowed shelters as conditional uses, but the legislation would make it a requirement to go beyond that if it was adopted.

- **B.** <u>Updated Planning Commission Work Program.</u> Tokos acknowledged the updated Planning Commission work program that was included in the meeting packet.
- C. <u>Finalize FY 20/21 Goals.</u> Tokos distributed updated goals to the Commission that were based on the information drawn from the previous work session meeting. The following goals were approved:
  - Utilize extensive community engagement to update the City of Newport Transportation Plan in collaboration with the Oregon Department of Transportation.
  - Lay the groundwork for a set of regulations and incentives to pair with the Transportation System Plan update that will facilitate revitalization of the US 101 / 20 corridors, including the City Center area.
  - Develop a Refinement Plan for South Beach Commercial / Industrial areas to inform the urban renewal district's final project phase.
  - Initiate updates to Newport's commercial / industrial buildable lands inventory.
  - Update off street parking requirements in line with Parking Study or related recommendations adopted by the City Council.
  - Identify and initiate any needed refinements to the Historic Nye Beach Design Review Overlay.
  - Engage the community on how best to implement housing requirements of HB 2001.
  - Implement recommendations from the Homelessness Taskforce that rely upon revisions to the City's land use regulations.
- **4. Adjournment.** Having no further discussion, the meeting adjourned at 7:32 p.m.

Respectfully submitted,

Sherri Marineau,
Executive Assistant

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